

Forward Plan reference number: FP/477/08/22

Report title: Army and Navy Sustainable Transport Package	
Report to: Cllr Kevin Bentley, Leader, Essex County Council	
Report author: Councillor Lesley Wagland, Cabinet Member for Economic Renewal, Infrastructure and Planning	
Date: 13 September 2022	For: Decision
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County Divisions affected: All Chelmsford Divisions are affected by this key junction.	

1. Everyone's Essex

- 1.1 Everyone's Essex aims to create a strong, inclusive, and sustainable economy, a high-quality environment and a good place for children and families to grow. High-quality environments are enabled by infrastructure which supports economic growth, the creation of jobs, investment, housing growth and healthy communities in both urban and rural settings.
- 1.2 Developing good infrastructure is a key enabler of economic growth – supporting our towns to flourish and our residents to access jobs. Time spent in traffic jams pollutes the atmosphere and costs residents and businesses time and money.
- 1.3 The delivery of the sustainable transport package is key to removing a significant pinch point in Chelmsford reducing congestion, thereby improving air quality, supporting public transport to be more reliable and providing routes for those who want to walk, cycle or scoot to have a safe environment in which to do so – further reducing traffic flows in the city centre.
- 1.4 Improved infrastructure is a critical component of our ambitions to be climate neutral by 2030 and will support wider infrastructure developments across the Chelmsford area including Beaulieu Park Train Station and the Chelmsford North East Bypass.
- 1.5 The Army and Navy junction in Chelmsford is a key gateway into and out of the city and was being used by up to 70,000 vehicles a day and 72 buses an hour prior to the COVID-19 pandemic. The junction consists of a five-arm roundabout, which until 2019 had a tidal flyover that carried one-way traffic (cars only) to and from the A1060/A1114 over the roundabout. Although the number of vehicles using the junction has fallen post pandemic, traffic levels on the approaches to the junction are now at around 90% of pre pandemic levels and the junction operates over capacity during the morning and evening peak times. As a result, it suffers from severe congestion which means that bus

passengers, pedestrians, cyclists and drivers regularly experience delays. This also results in it being a poor-quality environment for all road users. The situation is expected to get worse in the future unless we do something differently.

- 1.6 We cannot continue seeking to build our way out of congestion simply by providing new roads to increase capacity for private vehicles. Instead, we need to provide better options for people to travel sustainably, especially for shorter journeys where we want walking or cycling to be the natural choice. The Army and Navy Sustainable Transport Package is an opportunity to develop a long-term and sustainable solution for Chelmsford with the re-design of the Army and Navy junction alongside the provision of sustainable and active travel infrastructure to encourage people to travel around the city in safer, greener, and healthier ways, improving journeys for everyone.
- 1.7 Following detailed technical work and a public consultation the hamburger roundabout was recommended as the preferred option for the junction and this was approved by the Cabinet in March 2022. Since then we have started to develop an Outline Business Case (OBC). Further design development and stakeholder engagement has been undertaken, the cost estimates have been updated and site investigations have been commissioned.
- 1.8 This decision relates to the submission of the OBC to the Department for Transport (DfT). This will enable the project to be considered for approval to progress to the next stage of the bidding process to secure Major Road Network (MRN) funding.
- 1.9 As noted above, the Army and Navy Sustainable Transport Package would deliver benefits in line with the Environment: Transport and Built Environment commitments set out within Everyone's Essex; to deliver a step change in sustainable travel across the county and encouraging active and sustainable travel to reduce pollution and congestion. This will be achieved with the investment in walking, cycling and bus priority facilities such as replacing the current subway and creating accessible walking and cycling connections at ground-level at the junction, providing new bus lanes on Parkway and providing new cycle routes in the vicinity of the junction.
- 1.10 The project also aligns with the aims in Everyone's Essex of a strong and sustainable economy because it involves delivery of high-quality infrastructure to improve opportunities for people living in Essex. There would be economic benefits as a result of reduced congestion, reduced travel time, journey time reliability improvements and health benefits all resulting in a positive impact on the economy. This information is set out within Section 3 of the report.

2 Recommendations

- 2.1 Confirm that the package of measures which will form part of the Army & Navy Sustainable Transport Package OBC is as follows:

- Redesign of the Army and Navy junction in the form of a hamburger roundabout
- Improved walking and cycling facilities at the Army and Navy junction and on approaches
- Improved bus priority / bus lanes on Parkway
- Extension of the Essex Yeomany Way bus lane
- Expansion and enhancement of existing Sandon Park and Ride site.
- Expansion of existing Chelmer Valley Park and Ride site.

2.2 Agree that the OBC is submitted to the DfT by the end of September 2022 as summarised in the appendix to this report for consideration for funding from the major road network programme including a total project cost of £80.886m

2.3 Note that the estimated total capital cost of the Army & Navy Sustainable Transport Package is £80.886m which is expected to be funded as follows:

- £68.753m funding from the DfT (£67.372m MRN/LLM funding and £1.3m capital grant for development of a business case). The MRN/LLM funding will be subject to DfT approval following the submission of the OBC.
- £4m Community Infrastructure Levy (CIL) contributions from Chelmsford City Council, subject to a Memorandum of Understanding between ECC and CCC ; and
- ECC borrowing of £8.133m.

The £4m of CIL contributions and £8.133m of ECC borrowing make up the required 15% Local Authority contribution.

2.4 Agree to add £15.564m to the Capital Programme and subsequent profile changes as shown below, assumed to be fully funded by DfT MRN/LLM funding. This funding is not secured and is subject to formal award.

	Prior Year Actuals	Budget 2022/23	Aspirational Budget 2023/24	Aspirational Budget 2024/25	Aspirational Budget 2025/26	Aspirational Budget 2026/27	Aspirational Budget 2027/28	Aspirational Budget 2028/29	Total
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Current Capital Programme	3,719	2,198	2,680	1,941	11,770	33,511	9,503		65,322
Revised Forecast	3,719	3,538	4,899	8,307	20,439	20,110	19,810	63	80,886
Variance		1,340	2,219	6,366	8,669	(13,401)	10,307	63	15,564
Slippage									
Advancements		1,340	2,219	6,366	3475	(13,401)			
Additions					5194		10,307	63	15,564

2.5 Agree that any subsequent revisions to the OBC can be submitted to the DfT in response to any feedback we receive as determined by the Director, Highways and Transportation after consulting the Cabinet Member.

2.6 Agree to progress the schemes within the Army & Navy Sustainable Transport Package through preliminary design, including the submission of a planning application and preparation of information for land negotiations (including information in parallel for preparation for compulsory purchase).

- 2.7 Agree that the Director, Highways and Transportation, may acquire land agreed by negotiation in relation to the schemes within the Army & Navy Sustainable Transport Package.

3 Background and Proposal

- 3.1 The Army and Navy junction is a critical part of the Chelmsford transport network and a vital gateway into and out of the city. It was being used by up to 70,000 vehicles a day and 72 buses an hour prior to the COVID-19 pandemic. The junction consists of a five-arm roundabout, which until 2019 had a tidal flyover that carried one-way traffic (cars only) to and from the A1060/A1114 over the roundabout. The junction operates over capacity during the morning and evening peak times. As a result, it suffers from severe congestion and means that bus passengers, pedestrians, cyclists and drivers regularly experience delays. This also results in it being a poor-quality environment for all road users. The situation is expected to get worse in the future unless we do something differently.
- 3.2 We cannot continue to build additional capacity for vehicles by building more new roads. Instead, we need to provide better options for people to travel, especially for shorter journeys where we want walking or cycling to be the natural choice. The Army and Navy Sustainable Transport Package is an opportunity to develop a long-term and sustainable solution for Chelmsford with the re-design of the Army and Navy junction alongside the provision of sustainable and active travel infrastructure to encourage people to travel around the city in safer, greener, and healthier ways, improving journeys for everyone.
- 3.3 A dedicated Army and Navy Taskforce, made up of elected members of Essex County Council, Chelmsford City Council and Great Baddow Parish Council and the local MP, has been supporting in driving forward the project and lobbying the Government for funding.
- 3.4 The project aligns with the Chelmsford Future Transport Network Strategy, which sets out a vision for Chelmsford to have a transport system which is best in class, offering enhanced connectivity, access and choice to residents, commuters, visitors and businesses. It also sets the approach to the city's transport network to give people real choice in the way they travel, helping keep the city moving, improve people's health and wellbeing, protect the environment, and support economic growth. It focuses on the type of journey – short, medium, and long distance – and, through a zonal approach, prioritises specific modes of transport in different areas of Chelmsford, with an increasing focus on sustainable travel towards the city centre. The Army and Navy junction is on the border of the central and mid zones, meaning any scheme must include sustainable travel measures such as walking, cycling and buses.



Figure 1: Chelmsford Future Transport Strategy

- 3.5 The DfT has also stressed the need for any scheme bidding for MRN funding to include sustainable transport improvements and this will be vital in successfully securing funding for the project.
- 3.6 The stated vision for the project is: *To provide a sustainable solution which maximises the level of people throughput into and out of the City and which provides a gateway to the City befitting of the 21st Century.*
- 3.7 The objectives of the project are to:
- Offer inclusive, attractive, and safe active travel measures (walking and cycling) across an improved and comprehensive network to encourage increased use for all
 - Positively manage resilience and journey time reliability, improving journey times for passenger transport services travelling into/out of the City Centre Core
 - Provide enhanced connectivity for communities within and beyond Chelmsford to support and promote sustainable housing and economic growth and regeneration both now and in the future
 - Increase the attractiveness of the gateway into the City Centre through design and public realm enhancements
 - Improve safety and the perception of safety for all users on the Chelmsford City network to enhance and promote a safe travelling environment
 - Manage environmental conditions (Air Quality and Noise)
 - Actively manage resilience and journey time reliability for private transport trips within the core urban area of Chelmsford and in particular management of through trips.

- 3.8 Following public consultation in Summer 2021, the hamburger roundabout was approved as the Preferred Option for the junction improvement by ECC Cabinet in March 2022.
- 3.9 A significant amount of work has been undertaken since the ECC Cabinet Decision in March 2022 which includes:
- Endorsement and announcement of the Taskforce recommendation to include a 500-space expansion of the existing Chelmer Valley Park and Ride, instead of a new Park and Ride site in Widford.
 - Continued engagement with, and communications to, the Taskforce.
 - Continued engagement with the DfT, specifically on the progression of the OBC.
 - Briefings with Members, businesses and transport users groups and local community groups, including specific meetings with Van Diemens residents regarding the cycle route and parking provision.
 - Continued engagement with the public via press releases and a regular newsletter.
 - Identification of land owners and commencement of land negotiations.
 - An independent review of the cost estimate along with the development of a Quantified Risk Assessment resulting in an updated cost estimate for the package.
 - Completion of the DfT Transport Appraisal Process Stage 2, which includes further design and transport modelling work, in order to draft the OBC to be submitted in September 2022.
 - Commencement of preliminary design phase including starting site investigations.
- 3.10 The project has been successful at the Pre-Strategic Outline Business Case in 2019 and the Strategic Outline Business Case in early 2022, with approval received to progress to the next stage – submission of an Outline Business Case (OBC). As part of this approval the DfT agreed to fund £1.38m for the development of the OBC.
- 3.11 Following receipt of a letter from the DfT (January 2022), highlighting funding constraints within the MRN programme, Transport Bodies completed a review of the schemes within the MRN programme for their area. As a result of the review, it has been confirmed that the Army and Navy Sustainable Transport Package is a priority for Transport East and Essex County Council for MRN/LLM funding.
- 3.12 In June 2022 ECC commissioned Local Partnerships to undertake an external review of the project. The purpose of this review was to provide assurance that the milestones are achievable, the case for the scheme is robust, and the project is supported by key stakeholders. This is part of standard due diligence and helps to identify possible areas for improvement and suggested areas of particular focus during the next stage of the project. The findings can also be provided to the DfT as a means of helping to demonstrate that the project is being well managed and following appropriate processes.

- 3.13 The findings of this review are due shortly, but interim initial feedback so far has been largely positive, and we understand that Local Partnerships are minded to conclude that the project has an overall delivery confidence assessment of “Green/Amber”. The review team has noted that the scheme has strong stakeholder support and ECC has a good understanding the preferred option and project risks. Recommendations are likely to include bringing forward the land acquisition and utility diversion elements of the project to reduce risks to programme delivery, ensuring the project team is adequately resourced to deliver a project of this scale, and looking at options for enhancing project governance by incorporating independent expert challenge at project board level.
- 3.14 The project is now coming to the end of the DfT Transport Appraisal Process Stage 2 and officers are currently working with the DfT on the progression of the OBC for submission in September 2022, where approval in principle is expected to be obtained in December 2022. This Key Decision is being presented to ECC Cabinet to seek approval for the OBC submission.
- 3.15 The submission of the OBC by end of September 2022 is to meet a deadline set by the DfT in relation to the transport modelling approach. Missing this deadline would impact on the programme and cost if changes to the DfT guidance on the transport modelling approach were applicable to this project. The overall programme and budget are therefore based on meeting this submission date so any delay would impact the project generally.
- 3.16 This decision relates specifically to the submission of the Outline Business Case to the Department for Transport (DfT) to bid for £67.468m Major Road Network (MRN) funding (£68.768m in total with £1.3m capital grant already secured for development of the OBC), which represents 85% of the total estimated capital cost of £80.886m.
- 3.17 Based on the sixty-year appraisal period the project has a Benefit Cost Ratio (BCR) of 2.6, which means it is considered ‘high’ value for money based on the modelling undertaken to date (utilising pre-Covid data). Sensitivity tests required by the DfT indicate that the BCR is robust to different assumptions about future traffic growth. Specific benefits of the project are outlined below:
- **Walking and cycling** – Quicker and safer journeys for cyclists, reducing average peak period journey times through the junction by 44%. Improved pedestrian facilities would provide a safer and more attractive walk through the junction, with all crossings at ground level rather than in a subway. Walking through the junction at ground level would be about 11% quicker on average, while average walking times would be similar to those where the subway is currently used.
 - **Health and wellbeing** – More people are expected to walk and cycle through the junction with the scheme in place. This would result in health

benefits, such as reduced illness and increased life expectancy, valued at £13.4 million*¹ according to economic modelling.

- **Park and Ride** – Park and Ride passenger numbers are forecast to increase 34% by 2041, compared to a scenario of no Park and Ride improvements.
- **Bus improvements** – New bus priority measures would reduce peak period bus journey times through the junction by about 40% on average.
- **Traffic** – Reduced congestion at the Army and Navy junction, with an average reduction in travel time through the junction at peak times for motorised vehicles of about 53% in the opening year (2026, compared to a ‘do nothing’ scenario).
- **Economic Growth** – Positive impact on the economy, resulting in an estimated £32m* increase in GDP (Gross Domestic Product) over 60 years.
- **Travel Time** – Large travel time and journey time reliability improvements, with benefits valued at about £100m*.
- **Objectives** – Meets the project objectives well and are also in line with wider Government objectives, such as improving access and productivity.

3.18 The table below includes key milestones from the project plan.

Milestone Description	Target Date
Site investigations	April 2022 – November 2022
Preliminary Design	May 2022 – January 2023
Key Decision to ECC Cabinet re submission of OBC to DfT	September 2022
Submission of OBC to DfT	September 2022
DfT OBC approval anticipated	December 2022
Planning application submitted	April 2023
Detailed Design and Tender preparation	February 2023 – January 2024
Tender Period	February 2024
Submission of FBC to DfT	August 2024
Construction	January 2025 – November 2027

3.19 Preliminary and Detailed Design

ECC has commenced preliminary design and will need to continue this design work in order to meet the planning application submission in Spring 2023. Following this we progress to detailed design and preparing information for tender.

3.20 Land Negotiations

As part of the junction improvements there is a requirement for land to be acquired from third parties. ECC has already identified the landowners and have commenced negotiations with them, with the aim being to acquire land by

¹ * All monetary values are net present value (2010 prices discounted to 2010, in accordance with Department for Transport requirements).

agreement. If this proves not possible, the Cabinet Member for Economic Renewal, Infrastructure and Planning will be requested to approve progression of the land acquisition required through a Compulsory Purchase Order. The current programme allows for the possibility of CPOs being required, as the process of land acquisition would happen in parallel with other scheme development activities. Public Inquiry has not been allowed for in the programme. However, the potential cost implication of a Public Inquiry has been included in the project's Quantified Risk Assessment. A plan showing the proposed roundabout is appended to this report.

4 Links to our Strategic Ambitions

4.1 This report links to the following aims in the Essex Vision

- Develop our County sustainably
- Connect us to each other and the world

4.2 Approving the recommendations in this report will provide significantly improved walking and cycling facilities and further prioritise public transport. These measures, combined with the ability to better manage traffic flows at the junction in the future, will support the Council's net carbon neutral ambitions. The scheme's carbon impacts, both during construction and operation, will be calculated as part of the OBC development.

4.3 This report links to the following strategic priorities in the emerging Organisational Strategy 'Everyone's Essex':

To deliver a step change in sustainable travel across the county and encouraging active and sustainable travel to reduce pollution and congestion.

5 Options

5.1 The package of measures which form part of the scheme – including the new hamburger roundabout at the junction – was approved by the Taskforce in December 2021 and by ECC Cabinet in March 2022. Significant work has been undertaken since then to progress the OBC for the preferred option. The two options available to Cabinet at this stage are as follows:

5.2 **Option 1: To submit the OBC to DfT** – To bid for £67.468m Major Road Network (MRN) funding (£68.768m in total with £1.3m capital grant already secured for development of the OBC) in order to deliver this strategically important project for Chelmsford and Essex.

5.3 **Option 2: Do nothing** - To do nothing would not align with the previous decisions taken to support the delivery of this project and would effectively result in the termination of the progression of the MRN Funding. As well as the loss of awarded funding, there would also be revenue budget implications as capital funding has already been expended to develop the scheme to its current

position would crystallise into abortive costs and be charged to the revenue creating an unfunded revenue pressure. In total £7.257m is expected to be spent before we receive confirmation of funding (£3.719m prior year spend and £3.538m anticipated 22/23 spend).

6 Issues for consideration

6.1 Financial implications

6.1.1 The total estimated capital cost of the Army and Navy Sustainable Transport Package is £80.886m, funded by £68.753m DfT funding (£67.372m is subject to confirmation from DfT), £4.0m of anticipated CIL funding from CCC and £8.133m of ECC borrowing already included in the MTRS.

6.1.2 The Total cost includes a contingency allocation of £22.8m which equates to 28% of the total project cost. The contingency allocation is evidenced through a Qualitative Risk Assessment (QRA) which includes a detailed breakdown of all the key risks associated with the scheme.

6.1.3 The current Capital Programme allocation of £65.424m will need to be increased by £15.564m to reflect the current estimated cost of £80.886m, the following changes are requested to the Capital Programme:

	Prior Year Actuals £000	Budget 2022/23 £000	Aspirational Budget 2023/24 £000	Aspirational Budget 2024/25 £000	Aspirational Budget 2025/26 £000	Aspirational Budget 2026/27 £000	Aspirational Budget 2027/28 £000	Aspirational Budget 2028/29 £000	Total £000
Current Capital Programme	3,719	2,198	2,680	1,941	11,770	33,511	9,503		65,322
Revised Forecast	3,719	3,538	4,899	8,307	20,439	20,110	19,810	63	80,886
Variance		1,340	2,219	6,366	8,669	(13,401)	10,307	63	15,564
Slippage									
Advancements		1,340	2,219	6,366	3475	(13,401)			
Additions					5194		10,307	63	15,564

The addition of £15.564m is expected to be funded by the MRN/LLM DfT funding, which is yet to be confirmed. The total capital cost of the project has increased due to the following:

- increased design requirements, specifically associated with site investigation works and an allowance for further design during construction
- an increase in the inflation assumptions to reflect current market pressures as of July 2022, as explained below
- a change in the costing methodology for Park and Ride expansion
- inclusion of further cycle route provision to ensure that cyclists will have safe routes to and from the junction, to address stakeholder requirements

Whilst the addition of £15.564m is expected to be funded by DfT, ECC have no confirmation or assurance that ECC is going to receive this funding allocation. DfT are expected to make a decision in December 2022, however given the current government changes it is possible that the decision could be delayed

for an unquantified period of time. **ECC will be spending at risk up to the point of DfT funding approval**, if the project is not successful in securing DfT funding, it could lead to significant abortive revenue costs that have not been budgeted for. **In total £7.257m is expected to be spent before ECC receive confirmation of funding.**

6.1.4 The advancements highlighted in the above financial profile will result in ECC borrowing earlier than assumed in the MTRS, **resulting in borrowing costs (MRP and Interest) being incurred earlier than expected.**

6.1.5 Funding Streams

The project is expected to be funded as follows:

1. **£67.372m of MRN/LLM**

This funding is not secured and is a financial risk to ECC. This risk will be reviewed by ECC once DfT have considered the submitted OBC.

ECC have previously submitted a SOBC to the DfT. Since then, the funding ask has increased from £37.601m to £67.372m. ECC are expecting to submit the OBC in September 2022 with a decision expected in December 2022. However, DfT have communicated that they are not able to fund all schemes currently in their programme to full scale and timing. Therefore, there is a risk that ECC may not be successful in receiving this funding at all, or to the level presented in this paper leading to a funding gap.

The DfT has changed the MRN funding criteria to allow for awards of more than the initial funding cap of £50m, subject to authorities providing a 15% local contribution. Furthermore, they have also expanded their eligibility criteria to ensure schemes include measures for supporting public transport and active travel.

2. **£1.381m capital grant contribution from DfT** towards the costs of developing an OBC. The Grant Terms and Conditions confirm that the DfT may seek reimbursement of the grant award if the scheme is not constructed.

3. **£12.133m of Local Contributions**, split as follows:

- **£4.0m of CIL funding from CCC.** ECC and CCC are in the process of developing a Memorandum of Understanding (MoU) to unlock this funding.
- **£8.133m ECC Borrowing**, of which £3.719m was spent in prior years, This borrowing is already included in the MTRS, however the profile of borrowing differs, with borrowing incurring earlier than currently assumed in the MTRS.

6.1.6 Forecast Assumptions and Financial Risk

1. ECC will be liable **to fund all cost escalation** associated with the scheme. The total project cost is expected to change as the scheme is developed further, with a robust cost estimate expected to be available in January 2025 (after detailed design and tender returns). Should the capital cost of the project increase above the available funding envelope, value engineering will be

undertaken to bring the total cost of the scheme back to the available funding envelope. Should value engineering exercises not be successful then there is a risk to ECC finances, as ECC would be liable to cover all capital costs if the scheme was to continue and de-scoping opportunities not available.

A contingency allocation of £22.8m is currently included in the cost estimate. This represents 28% of total scheme costs. This is following the completion of a QRA which includes a significant risk to account for uncertainty around inflation. This allocation is deemed to be sufficient by the project team as it is based on a QRA and more than the typical range expected at the stage of the project of between 20-25%.

2. Inflation has been accounted for in the cost estimate using the Building Cost Information Services (BCIS) Road Tender Price Index as of 10th June 2022 at 13.9% of construction costs, totalling £6.6m.

Further to this, an additional inflationary risk has been included in the Quantitative Risk Assessment (QRA) given the current market pressures and therefore forms part of the contingency allocation ; this assumes that there is a 75% probability of 10% inflation per annum for the remainder of the programme, this equates to an additional allocation of £9.75m within the QRA.

3. ECC are currently spending without confirmed streams of funding. **If the project is not successful in securing DfT funding, it could lead to significant abortive revenue costs that have not been budgeted for, this is a significant financial risk to ECC.** Once DfT have considered the submitted Business Case, the financial risk associated with this scheme will need to be reviewed to confirm a way forward. Furthermore, if ECC are not successful in securing external funds, a decision would be required as to whether ECC reallocate funding already committed in the current capital programme or look at alternative funding opportunities. If it did not wish to proceed with the project, all historic costs would be treated as abortive and written off as revenue and funding would need to be identified for this. **In total £7.257m is expected to be spent before we receive confirmation of funding (£3.719m prior year spend and £3.538m anticipated 22/23 spend).**
4. The cost provided includes the assumption that ECC have to use Compulsory Purchase to acquire some of the land required. As such there is a risk that a Public Inquiry is needed which could lead to programme delays and cost escalation. The cost impact of this is currently uncertain, but an allowance has been made within the QRA
5. An allowance has been made for the purchase of land based on the area required for agricultural land value plus 50% allowance for land that may be required for flood compensation. There is a risk that this allowance may not be sufficient to cover the costs.
6. The current programme and budget assume that ECC submits the Outline Business Case to DfT in September 2022 to meet a deadline set by the DfT in relation to the transport modelling approach. If this deadline is missed it will impact programme and cost, if changes to the DfT Transport Modelling Approach Guidance were applicable to this project.

6.1.7 There is a risk that these assumptions are not reflective of what is experienced during the project resulting in unfunded cost escalation.

Financial Mitigations

6.1.8 Should the level of funding sought from the DfT not be received, or cost escalation occurs, and on the basis that all value engineering opportunities have been exhausted, ECC could look to descope Park and Ride elements of the scheme without significantly affecting the benefits to bring the total cost of the project within the funding envelope available. Beyond this, other options could be considered such as removal of the new stretch of bus lane on Essex Yeomanry Way. It should be noted that this could negatively impact the strategic case for the scheme.

6.1.9 As stated above, in any event of cost escalation or reduction in available funding, value engineering opportunities will be undertaken to help deliver the project within the available funding envelope

Revenue implications

6.1.10 The Army & Navy Project involves the expansion of Park and Ride sites. It should be noted that any additional provision of Park and Ride bus services above and beyond what is currently contractually required will result in additional revenue costs, if additional fare demand does not increase significantly this could lead to an unfunded revenue pressure. Currently, the Park and Ride sites are continuing to experience significant income shortfalls forecast at £x, unadjusted. However, the service believe that the current Park and Ride capacity is sufficient to take on increased demand and therefore no additional bus services will be required.

6.1.11 This investment in road infrastructure will result in a long-term obligation for ECC to maintain the additional road network, for which there will be no additional revenue provision. ECC will be required to manage the additional maintenance within the existing budget envelope.

6.1.12 Should any Part 1 claims materialise post completion, this would result in revenue costs that are not currently budgetary for.

6.1 Legal implications

6.1.1 The construction of any junction will need careful consideration of many legal issues including:

- It is understood that the hamburger roundabout cannot be constructed without acquiring land. Should we be unable to acquire the land by agreement then the council will need to use compulsory purchase which could delay the programme and involve expensive legal advice and compensation.
- The risk of claims from the owners of property nearby
- Planning permission
- Relocating equipment belonging to statutory undertakers

- Procurement of a contract for the construction
- Ensuring that the design minimises the risk of liability for accidents

6.2.2 These issues cannot be resolved until more detailed work is undertaken but they will be an important consideration in assessing how long the scheme will take to deliver and how much it will cost.

6.2.3 These issues will be dealt if and when funding has been secured.

7 Equality and Diversity Considerations

7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

7.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

- Although the recent public consultation had a strong digital focus this was complemented by some more traditional approaches to help ensure it was as accessible as possible, including an audio version via Chelmsford Talking Newspaper.
- The design of the scheme has to be compliant to design standards and LTN1/20 guidance so all users of the network are considered.
- Improvements for sustainable transport measures (bus, walking and cycling) will offer a positive impact to all ages accessing education, employment, health, retail and leisure. However this would specifically positively impact the younger and older generation.
- Improvements for sustainable transport measures (bus, walking and cycling) will offer a positive impact to those with a physical impairment. The improvements to the walking and cycling options, which would be LTN1/20 compliant, would help facilitate journeys. Or, if using the bus services, the improvements here would also offer benefits.
- For those who are either elderly or have a physical disability who are unable to walk, cycle or use the bus, the car can continue to be used

and the package provides improvements to vehicles travelling through the junction too.

8 List of Appendices

- 8.1 Equalities Comprehensive Impact Assessment
- 8.2 Plan showing hamburger roundabout layout
- 8.3 OBC Proforma (this is a summary of the OBC that will be submitted to DfT)

9 List of Background papers

- 9.1 Army and Navy Sustainable Transport Package Public Consultation Brochure

I approve the above recommendations set out above in relation to my portfolio for the reasons set out in the report.	Date
Councillor Kevin Bentley, Leader, Essex County Council	14/09/22

In consultation with:

Role	Date
Executive Director, Corporate Services (S151 Officer) <i>Please</i>	05/09/22
Stephanie Mitchener on behalf of Nicole Wood	
Director, Legal and Assurance (Monitoring Officer)	05/09/22
Paul Turner	